

IN THE DRAWINGS



The Examiner has objected to Figure 2 under 37 C.F.R. § 1.121(d) for uneven shading and hand-drawn numbers. Applicants have submitted replacement figures 2 and 4. No new matter has been added.

REMARKS

Applicant respectfully requests consideration of the subject application as amended herein. This Amendment is submitted in response to an Office Action mailed on December 15, 2005. Claims 95-104 and 113-117 are pending. In this Amendment, Claims 95-104 and 113-117 have been amended. Claims 1-94 and 105-112 have been canceled without prejudice. No new matter has been added.

Election/Restrictions

In response to the Examiner's Election Requirement set forth in the Office Action dated December 15, 2005, Applicant elects to prosecute Group III.

Objection to the Drawings

The Examiner object to Figure 2. As noted above, replacement Figures 2 and 4 are submitted herewith.

Rejections under 35 U.S.C. § 112

The Examiner rejected claims 100-101 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 100-101 have been amended to particularly point out and distinctly claim the subject matter, which Applicant regards as the invention. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 112, second paragraph.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 95-98, 104 and 114-117 are rejected under 35 U.S.C. §102(b) as being anticipated by Klencke, (U.S. Patent No. 5,867,709, hereinafter “Klencke”). Claims 99-103 and 113 are rejected under 35 U.S.C. §103(a) as being unpatentable over Klencke, in view of Iborra, (U.S. Patent Application NO. 2002/0062475, hereinafter “Iborra”). As discussed below, the pending claims are patentable over the above references.

The cited art fails to teach or suggest, *inter alia*, as claimed in claim 95: “a fourth logic block to add a customizable class rule to the customizable product class, the customizable class rule including expressions which define constraints on component products added to the customizable product.”

Klencke is directed to a system and method for reusability of customizations to a software product. Once customizations are made to a software product, if the software product is revised, the customizations can be automatically incorporated into the revised software product. This is accomplished by storing the customization in a shell class corresponding to the parent class for the software. The shell class and parent class are in a hierarchical relationship. Thus, when a revised software product is released, the parent classes are replaced, but the shell class, containing the revision, is not. The customizations are incorporated into the revised software via the shell, which remains in the hierarchical relationship with the parent class of the revised software.

Klencke does not disclose customizable class rules, which include expressions that define constraints on component products added to the customizable product. The Examiner cites Klencke: col. 1, lines 29-63 as teaching this limitation. In particular, the Examiner submits that Klencke discloses functions within the standard class that provide conditions on the choices available with the parent class. Applicants respectfully disagree.

Instead, Klencke teaches that the standard class contains functions and data to perform the functionality of the software product. Thus, Klencke does not disclose that the standard class contains customizable rules that define constraints on component products.

In contrast, embodiments of the presently claimed invention are directed to an apparatus for building a configurator. The configurator includes customizable product classes to which component products are added. The component products are subclasses and inherit the attributes of the customizable product class. Customizable rules, which define constraints, such as, for example, defining conditions and triggering actions between the component products, are added to the class. A customizable UI is also mapped to the class. The configurator can then be released to allow a consumer to build a customizable product.

Iborra also does not disclose customizable rules as presently claimed.

Therefore, neither Klencke, nor Iborra, nor the combination thereof disclose or suggest the claimed limitations of independent claim 95. Claims 96- 104 and 113-117 depend, directly or indirectly, from claim 95. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 96-104 and 113-117 under 35 U.S.C. §§ 102(b) and 103(a). Applicants submit that all pending claims are in condition for allowance.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully to contact Jennifer Hayes at (408) 720-8300.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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